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Right of peoples to self-determination

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Report of the Secretary-General**

I. Introduction

1. In its resolution 55/85 of 4 December 2000, the General Assembly, inter alia, requested the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation, and requested the Secretary-General to report on this question to the Assembly at its fifty-sixth session under the item entitled "Right of peoples to self-determination".

2. On 6 June 2001, the Secretary-General addressed a note verbale to all Governments drawing their attention to General Assembly resolution 55/85 and requesting them to submit any pertinent information relating to that resolution.

3. To date, the Office of the United Nations High Commissioner for Human Rights has received three replies in response to the aforementioned note.

II. Replies received from Governments

A. Cuba

[Original: Spanish]
[25 June 2001]

4. The Government of Cuba refers to the situation in the Middle East, stating that resolving the Palestinian issue is crucial to securing peace in the region. According to Cuba, a lasting peace will be achieved when the Palestinian peoples are allowed to exercise their right to self-determination, including the right to build "an independent Palestinian State with East Jerusalem as its capital". Cuba also hopes to see the full return of territories in southern Lebanon and the Golan Heights to Arab countries.

5. Cuba considers that the territorial integrity of States is an important element in preserving peace and that the right to self-determination has been historically linked to the struggle against colonialism and foreign occupation. In this context, the Government of Cuba comments on the struggle against foreign domination and occupation as it relates to Cuba itself. In particular, "Cuba demands the return of the territory which the United States naval base at Guantanamo Bay is occupying unlawfully and against the will of the Cuban people."

* A/56/150.

** The footnote requested by the General Assembly in resolution 54/248 was not included in the submission.

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6. On the issue of Puerto Rico, the Government of Cuba states that several resolutions and decisions of the Special Committee on Decolonization reaffirm the inalienable right of the people of Puerto Rico to self-determination and independence in conformity with General Assembly resolution 1514 (XV). In particular, Cuba calls for an end to military drills and manoeuvres on Vieques Island.

7. It has not been possible to move forward in the process of the decolonization of Puerto Rico, the Government of Cuba writes, given that "the Government of the United States is usurping the powers of the Puerto Rican people, which are being exercised from the United States Congress."

B. Azerbaijan

[Original: Russian]
[27 June 2001]

8. The Republic of Azerbaijan is of the view that often the right to self-determination serves as a justification for foreign military intervention, aggression and occupation. However, the 1993 Vienna Declaration and Programme of Action, the 1975 Helsinki Final Act of the Conference on Security and Cooperation in Europe, the 1990 Charter of Paris for a New Europe and the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension stress that the right to self-determination in no way is contrary to norms of international law relating to the political unity and territorial integrity of independent States.

9. The Republic of Azerbaijan considers that a distinction should be made between the right of persons belonging to minorities and the right of peoples to self-determination. The first is an individual right, Azerbaijan writes, while the second is a collective right. Therefore, these two rights should not be confused and minority rights should not be used as the basis for claims of secession or for the dismemberment of sovereign States. The Government of Azerbaijan further argues that preserving the territorial integrity of States is important, as is protecting and promoting the unique identity of minorities living within the territory of an independent State. The Government of Azerbaijan believes that, while creating "ethnically pure" States or semi-States for each ethnic group is not a solution to armed conflicts involving minorities, "certain autonomy within a sovereign State may, in certain circumstances, be a highly effective means of achieving meaningful peace ...".

C. Qatar

[Original: Arabic]
[4 July 2001]

10. In the opinion of Qatar, the right of peoples to self-determination is one of the most important ones acquired in the field of human rights, yet "ongoing occupation is unquestionably impeding the development of international economic cooperation, preventing the social and cultural advancement of peoples subjected to occupation and negating the ideal of universal peace to which the United Nations is aspiring".

11. Qatar refers to the failure to implement General Assembly resolutions on the occupied Arab territories as a matter that could be detrimental to the credibility of international legitimacy, represented by the United Nations.